

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

IMPLICIT, LLC,	§	
Plaintiff,	§	
	§	
v.	§	
	§	
IMPERVA, INC.	§	Case No. 2:19-cv-00040-JRG-RSP
	§	LEAD CASE
	§	
FORTINET, INC.	§	Case No. 2:19-cv-00039-JRG-RSP
	§	
	§	
JUNIPER NETWORKS, INC.	§	Case No. 2:19-cv-00037-JRG-RSP
	§	
Defendants.	§	

JOINT STIPULATION OF DISMISSAL PURSUANT TO RULE 41(a)(1)(A)(ii)
AS TO U.S. PATENT NO. 8,056,075

WHEREAS, Plaintiff Implicit, LLC (“Implicit”), and Defendants Fortinet, Inc. (“Fortinet”), Juniper Networks, Inc. (“Juniper”), and Imperva, LLC (“Imperva”) (Fortinet, Juniper, and Imperva being the “Defendants” and, together with Implicit, the “Parties”), have met and conferred and seek to reduce the complexity of the above-captioned cases, including the terms to be construed:

Defendants hereby stipulate that none of them will initiate, participate in, or knowingly aid an *Inter Partes* Review challenging the validity of U.S. Patent No. 8,056,075.

The Parties, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate to dismissal WITH PREJUDICE of all currently pending claims and counterclaims against one another with respect to U.S. Patent No. 8,056,075 in Civil Action Nos. 2:19-cv-00039 (Fortinet); 2:19-cv-00037 (Juniper); and 2:19-cv-00040 (Imperva), with each party to bear its own costs, expenses, and fees with respect thereto.

Juniper and Imperva have each moved to dismiss the claims of U.S. Patent Nos. 8,056,075; 8,856,779; and 9,325,740 pursuant to 35 U.S.C. § 101. *See* Civil Action No. 2:19-cv-00037, ECF No. 19 (Defendant Juniper Networks, Inc.'s Partial Motion to Dismiss Plaintiff's First Amended Complaint) and Civil Action No. 2:19-cv-00040-JRG-RSP, ECF No. 15 (Defendant Imperva, Inc.'s Partial Motion to Dismiss Plaintiff's First Amended Complaint). Fortinet has not moved to dismiss the claims of U.S. Patent Nos. 8,056,075; 8,856,779; and 9,325,740 pursuant to 35 U.S.C. § 101.

The Court dismissed the claims of U.S. Patent Nos. 8,856,779 and 9,325,740 without prejudice on September 4, 2019 (Dkt. No. 124).

The Parties stipulate that the § 101 motions filed by Juniper and Imperva should ***not*** remain pending.

Dated: November 6, 2019

Respectfully submitted,

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By: /s/ Brandon C. Martin

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document is being filed electronically in compliance with Local Rule CV-5(a). As such, this document is being served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(V). Pursuant to Federal Rule

of Civil Procedure 5(d) and Local Rule CV-5(d) and (e), any counsel of record not deemed to have consented to electronic service will be served with a true and correct copy of the foregoing by email on this 6th day of November, 2019.

/s/ Brandon C. Martin
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